

REMARKS

Applicants submit this Amendment in reply to the Office Action mailed May 19, 2004.

By this Amendment, Applicants have amended claims 1, 5, 7-8, 12-17, and 20-23 to further define the claimed invention. No new matter has been introduced.

Before entry of this Amendment, claims 1-2, 5-8, 12-18, and 20-25 were pending in this application. After entry of this Amendment claims 1-2, 5-8, 12-18, and 20-25 are still pending in this application. Claims 1, 7, 13, 20, 21, and 23 are the sole independent claims.

On page 2 of the Office Action, claims 5, 12, and 17 were objected to. Applicants have amended claim 17 as suggested by the Examiner. With regards to claims 5 and 12, however, Applicants do not believe that claim 5 is a multiple dependent claim, or that claim 12 is dependent on a multiple dependent claim, as claim 13, from which claim 12 depends, is not a multiple dependent claim. Accordingly, Applicants respectfully request withdrawal of the objections. If the Examiner continues to have questions regarding this matter, the Examiner is respectfully invited to telephone the undersigned at 202-408-4449.

On pages 2-3 of the Office Action, claims 1-8 were rejected under 35 U.S.C. §112, second paragraph, for alleged indefiniteness. Based on the comments on page 3 of the Office Action, however, Applicants assume the Examiner meant to reject claims 1, 5, 7, 12-16, and 20-23. Regarding those claims, although Applicants may disagree that the claims as-written were indefinite, solely in the interests of expediting the prosecution of this application, Applicants have amended those claims. With regard to

claims 20 and 21, Applicants respectfully disagree that there is no distinction between those claims, as claim 20 recites "said plasma process is implemented while **increasing and decreasing** the oxygen added into the process gas" (emphasis added), while claim 21 recites "said plasma process is implemented while **increasing** the oxygen added into the process gas" (emphasis added). Accordingly, Applicants respectfully request withdrawal of the Section 112, second paragraph rejection.

On pages 4-6 of the Office Action, claims 1, 2, 6-8, and 13-16 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,053,104 to Babu et al. ("Babu"); claim 14 was rejected under 35 U.S.C. §102(a) as being unpatentable over Babu; and claims 17-18 and 20-25 were rejected under 35 U.S.C. §103(a) as being unpatentable over Babu in view of U.S. Patent No. 5,919,332 to Koshiishi et al. ("Koshiishi"). Applicants respectfully traverse these rejections.

None of the cited references, whether cited under Section 102(b) or 103(a), disclose or suggest the invention claimed in each of independent claims 1, 7, 13, 17, 20, 21, and 23. For example, each of those claims recite a plasma processing method including, among other aspects, wherein "the fluorocarbon is continuously introduced into the process chamber during the plasma process." None of the cited references disclose or suggest at least this aspect of each of independent claims 1, 7, 13, 17, 20, 21, and 23.

Babu discloses a plasma etching process where the gas atmosphere in the reactor is varied by varying the etchant gas composition between one which contains an organohalide (e.g., CF₄) and one which does not (e.g., 100% oxygen). (Col. 3, lines 36-45, 50-56; col. 4, lines 4-22). Accordingly, Babu does not disclose or suggest that "the

fluorocarbon is continuously introduced into the process chamber during the plasma process," as there are times when oxygen, and only oxygen, is flowing into the reactor. Moreover, Koshiishi is not cited for this aspect of the claimed invention. Accordingly, for at least these reasons, Applicants respectfully withdrawal of the Section 102(b) and 103(a) rejections.

Applicants further submit that claims 2, 5-6, 8, 12, 14-18, 22, and 24-25 depend from one of independent claims 1, 7, 13, 17, 20, 21, and 23, and are therefore allowable for at least the same reasons that each of those respective independent claims is allowable. In addition, at least some of the dependent claims recite unique combinations that are neither taught nor suggested by the cited reference, and therefore at least some also are separately patentable.

In view of the foregoing remarks, this claimed invention, as amended, is neither anticipated nor rendered obvious in view of the prior art references cited against this application. Applicants therefore request the entry of this Amendment, the Examiner's reconsideration and reexamination of the application, and the timely allowance of the pending claims.

The Office Action contains characterizations of the claims and the related art with which Applicants do not necessarily agree. Unless expressly noted otherwise, Applicants decline to subscribe to any statement or characterization in the Office Action.

In discussing the specification, claims, abstract, and drawings in this Amendment, it is to be understood that Applicants are in no way intending to limit the scope of the claims to any exemplary embodiments described in the specification or abstract and/or shown in the drawings. Rather, Applicants are entitled to have the

claims interpreted broadly, to the maximum extent permitted by statute, regulation, and applicable case law.

Please grant any extensions of time required to enter this Amendment and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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By: _____



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